

**IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO**

IN RE: **DAVID ANTONIO ACEVEDO FALCON**
SSN xxx-xx-2429

CASE NO: **19-01636-ESL**

Debtor(s)

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES AND REPORT ON CONFIRMATION

Petition Filing Date: **03/28/2019**

First Meeting Date: **05/02/2019 at 10:00AM**

Days From Petition Date: **35**

341 Meeting Date: **05/02/2019 at 10:00AM**

910 Days Before Petition: **09/29/2016**

Confirmation Hearing Date: **06/05/2019 at 2:00PM**

Chapter 13 Plan Date: **03/28/2019** ☐ Amended

Plan Base: **\$33,840.00** Plan Docket # **4**

This is Debtor(s) 1 Bankruptcy petition.

This is the 1st scheduled meeting.

Payment(s) ☐ Received or ☐ Evidence shown at meeting:

Total Paid In: **\$100.00**

Check/MO# _____

Date: _____ Amount: \$ _____

*APPEARANCES: ☐ Telephone ☐ Video Conference

Debtor: ☒ Present ☐ Absent ☒ ID & Soc. OK

Joint Debtor: ☐ Present ☐ Absent ☐ ID & Soc. OK

☒ Examined ☐ Not Examined under Oath

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Attorney for Debtor(s): ☐ Not Present ☒ Present

Name of Attorney Present (Other than Attorney of Record): _____

☐ Pro-se

☐ Creditor(s) Present ☒ None

*ATTORNEY FEES AS PER R 2016(b) STATEMENT:

Attorney of Record: **ROBERTO FIGUEROA CARRASQUILLO***

Total Agreed: **\$3,000.00** Paid Pre-Petition: **\$1,000.00** Outstanding (Through the Plan): **\$2,000.00**

*TRUSTEE'S REPORT ON CONFIRMATION & STATUS OF §341 MEETING

Debtor's/s' Commitment Period: ☒ Under Median Income 36 months ☐ Above Median Income 60 months §1325(b)(1)(B)
Projected Disposable Income: \$ _____

☐ The Trustee cannot determine debtor's/s' commitment period at this time.

The Trustee: ☐ NOT OBJECTS ☒ OBJECTS [Plan Confirmation](#) Gen. Uns. Approx. Dist.: 100 %§341 Meeting ☐ CONTINUED ☐ NOT HELD ☐ CLOSED ☒ HELD OPEN FOR 30 DAYS

§341 Meeting Rescheduled for: _____

Comments:

[1325(a)(1)] Failure to comply with her/his/their duties.[11 U.S.C.704(a)(4) and 1302(b)(1)]

Debtor must upload evidence of pre-petition income listed in the Means Test, reviewed at creditors' meeting

[1325(a)(8)] DSO Payment Default – Debtor(s) is in default with post-petition DSO payments.

Debtor must submit evidence of being current with post petition DSO payments until the confirmation of the plan. Debtor showed evidence of being current until April 2019.

[1325(a)(9)] Tax Requirements – Debtor(s) fails to comply with Tax Return filing requirement of [1308].

Debtor must submit evidence of filing 2017-2018 Puerto Rico and Federal tax returns. Debtor said he did not generate any income for 2015-2016 and, thus, did not file tax returns. Hacienda Form 2781 for said years must be submitted.

[1325(b)(1)(B)] Projected Disposable Income – Debtor(s) fails to apply projected disposable income, to be received during applicable commitment period, to make payments to unsecured creditors under the plan. [1322(a)(1)]

Per evidence submitted, Debtor's DSO payment is \$400.00, which is lower than the amount reported in Schedule J.

***OTHER COMMENTS / OBJECTIONS**

NOTE: Debtor is an independent contractor who's only client was FEMA. Debtor, however, has not been able to work since November 2018, first because of the government shutdown and then due to medical reasons. He expects that by June 2019 he will end his medical treatment and be able to start working again.

Debtor failed to list closed bank account with PenFed in SOFA.

/s/ Jose R. Carrion, Esq.
Trustee Meeting Date: May 02, 2019

/s/ Alexandra Rodriguez, Esq., Presiding Officer